

PROB 12B  
(7/93)

**United States District Court**

**for**

**District of New Jersey**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Rhoda Vergallito

Cr.:07-00347-004  
PACTS#: 48699

Name of Sentencing Judicial Officer: Honorable Susan D. Wigenton

Date of Original Sentence: 09-22-08

Original Offense: Conspiracy to Defraud the United States (18 U.S.C. § 371)

Original Sentence: 5 years probation

Type of Supervision: Probation

Date Supervision Commenced: 09-22-08

**PETITIONING THE COURT**

☒ To modify the conditions of supervision as follows:

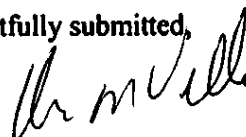
1. Removing the special condition of home confinement.
2. Setting the monthly restitution payment schedule at \$50.

**CAUSE**

Rhoda Vergallito has been hospitalized and placed in a nursing home since May 2009. According to the nursing home social worker, Mrs. Vergallito may be released in the coming weeks. However, she will require constant in-home nursing care. She will also be required to undergo physical and occupational therapy in the home and at a facility. As such, we respectfully request that the home confinement condition be removed all together.

Rhoda Vergallito was ordered to pay \$68,203 in restitution. However, a monthly restitution payment schedule was not set at sentencing. The offender and her husband have been hospitalized for some time. They both receive Social Security benefits and partial pensions, and are accumulating various medical expenses. As such, we respectfully request that a minimum monthly payment schedule of \$50 be set. Please be advised that the offender has only paid the \$100 special assessment, and no monies have gone towards restitution.

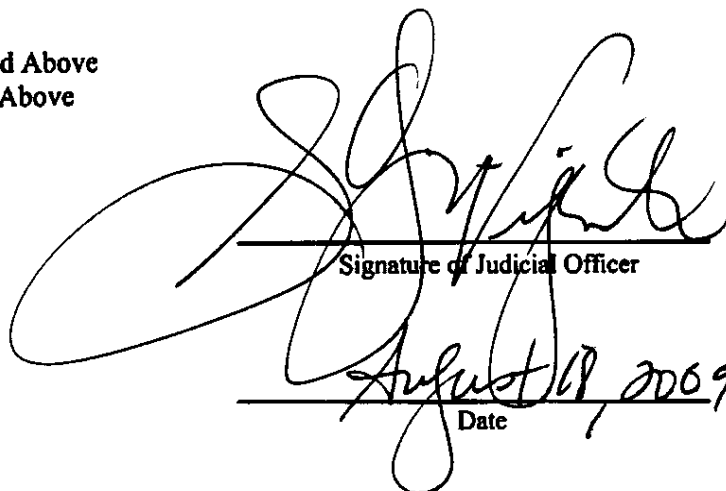
Respectfully submitted,



By: Kevin M. Villa  
Senior U.S. Probation Officer  
Date: July 28, 2009

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above  
☐ The Extension of Supervision as Noted Above  
☐ No Action  
☐ Other



Signature of Judicial Officer

August 18, 2009

Date